

REMARKS

Further to the Reply dated April 7, 2010, Applicant is filing this Supplemental Amendment. Applicant respectfully requests that the Examiner consider the remarks given in both the Reply filed on April 7, 2010 and this Supplemental Amendment. Applicant has attempted to eliminate as much repetition as possible.

Status of the Claims

Claims 38-61 will be pending in the above-identified application upon entry of the present amendment. Claims 44-45 have been amended to correct a spelling error. Claims 58-61 have been added. Support for new claims 58-61 can be found in the examples of the present specification (particularly Experimental Example 4-2). Thus, no new matter has been added. Based upon the above considerations, entry of the present amendment is respectfully requested.

In view of the following remarks, Applicant respectfully requests that the Examiner withdraw all rejections and allow the currently pending claims.

Issues under 35 U.S.C. § 103(a)

1) Claims 38-41, 44-46, 49-52, and 54-57 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Kunihiro et al. '028 (US 5,834,028) in view of Yui et al. '548 (EP 1029548).

2) Claims 38-41, 44-47, 49-52, and 54-57 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Kunihiro et al. '028 in view of Yui et al. '548 and further in view of JP '790 (JP 11-171790).

3) Claims 38-41, 44-46, and 48-57 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Kunihiro et al. '028 in view of Yui et al. '548 and further in view of Zushi '007 (US 5,574,007).

4) Claims 38-46, 49-52, and 54-57 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Kunihiro et al. '028 in view of Yui et al. '548 and further in view of Klokke-Bethke et al. '769 (US 5,335,769).

Applicant respectfully traverses for the reasons provided in the Reply filed on April 7, 2010. Reconsideration and withdrawal of these rejections are respectfully requested based on those considerations.

New Claims 58-61

Applicant has newly added claims 58-61 in an effort to further define the scope of protection owed to Applicant. Applicant respectfully submits that claims 58-61 are allowable for the reasons given in the Reply filed on April 7, 2010.

In addition, as specifically recited in new claims 58-61, the present invention has no substantial cloudiness from the completion of injection of a dissolving aqueous solution. As noted previously, the formation of microbubbles during the dissolving process only occurs when the concentration of TM is as high as approximately 10 mg/mL at final concentration. The present invention successfully achieves a method to prevent the formation of the microbubbles and the resulting cloudiness at a high concentration of TM by using a surfactant as defined in the pending claims. In contrast, the cited references do not even recognize the problem of cloudiness. Accordingly, the cited references fail to disclose a solution containing soluble thrombomodulin at a concentration of 10 mg/mL or higher that has no substantial cloudiness and shows a transmittance of at least 95% after a specified time period. As such, Applicant respectfully asserts that claims 58-61 clearly define over the cited references, and an early action to this effect is earnestly solicited.

Conclusion

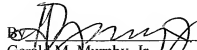
All of the stated grounds of rejection have been properly traversed, accommodated, or rendered moot. Applicant therefore respectfully requests that the Examiner reconsider all presently outstanding rejections and that they be withdrawn. It is believed that a full and complete response has been made to the outstanding Office Action, and as such, the present application is in condition for allowance.

Should there be any outstanding matters that need to be resolved in the present application, the Examiner is respectfully requested to contact Chad M. Rink, Registration No. 58,258, at the telephone number of the undersigned below to conduct an interview in an effort to expedite prosecution in connection with the present application.

If necessary, the Director is hereby authorized in this, concurrent, and future replies to charge any fees required during the pendency of the above-identified application or credit any overpayment to Deposit Account No. 02-2448.

Dated: May 17, 2010

Respectfully submitted,



Gerald M. Murphy, Jr.

Registration No.: 28,977

BIRCH, STEWART, KOLASCH & BIRCH, LLP

8110 Gatehouse Road, Suite 100 East

P.O. Box 747

Falls Church, VA 22040-0747

703-205-8000